

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

JAMES D'CRUZ and NATIONAL RIFLE)	
ASSOCIATION OF AMERICA, INC.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
STEVEN McCRAW, in his official)	
capacity as Director of the Texas)	
Department of Public Safety,)	
)	
Defendant.)	Civil Action No. 5:10-CV-141-C

ORDER

The Court having considered Defendant's Emergency Motion to Amend Scheduling Order to Permit Discovery and Extend Dispositive Motion Deadlines, filed December 14, 2010, together with the Plaintiffs' Response in Opposition, filed December 15, 2010, is of the opinion that Defendant's Motion should be **GRANTED**. Accordingly, the Court amends the previous scheduling order as follows:

1. Pursuant to Rule 16(b), Fed. R. Civ. P., the Court establishes the following schedule for this case:

(a) Unless otherwise identified pursuant to written discovery, experts must be disclosed pursuant to Fed. R. Civ. P. 26(a)(2) by 3:00 p.m. on February 15, 2011.

(b) All other pretrial motions, including motions for summary judgment, must be filed, and all discovery must be completed, by 3:00 p.m. on May 16, 2011.

Deadlines will "not be extended except upon good cause shown and by order of the Court." *See Saavedra v. Murphy Oil U.S.A., Inc. v. Lou-Con, Inc.*, 930 F.2d 1104, 1107 (5th Cir. 1991).

2. Unless further ordered by the Court, the parties are not required to make initial disclosures under Rule 26(a)(1), Fed. R. Civ. P., and no conferences are required under Rule 26(f), Fed. R. Civ. P.

3. Counsel and unrepresented parties are expected to cooperate with each other in conducting discovery, clarifying the issues, and getting the case ready for trial. Specifically, counsel must strictly comply with the mandates set forth in *Dondi Properties Corporation v. Commerce Savings & Loan Association*, 121 F.R.D. 284 (N.D. Tex. 1988) (en banc) (per curiam).

4. Filing documents electronically is not mandatory. However, in all cases where electronic case filing is done, counsel may serve and respond to written discovery requests through electronic mail service. This discovery practice will be governed by the Northern District of Texas Local Rules, this Court's Local Rules/Judge Specific Requirements, and the Clerk's ECF Administrative Procedures Manual regarding electronic case filing procedures.

5. Counsel and unrepresented parties are referred to the Local Rules of the Northern District of Texas, the Civil Justice Cost and Delay Reduction Plan of the Northern District of Texas, and the Local Rules/Judge Specific Requirements of this Court.

6. All parties will be notified by separate order of the date of trial and the date for filing the proposed pretrial order.

SO ORDERED this 16th day of December, 2010.


SAM R. CUMMINGS
UNITED STATES DISTRICT JUDGE